

ASSEMBLY BILL

No. 754

Introduced by Assembly Member Bogh

February 19, 2003

An act to amend Sections 17200 and 17201.5 of the Business and Professions Code, relating to unfair competition.

LEGISLATIVE COUNSEL'S DIGEST

AB 754, as introduced, Bogh. Unfair competition.

Existing law defines unfair competition to include any unlawful, unfair, or fraudulent business act or practice and any act of false advertising.

This bill would revise the definition of unfair competition to instead require a practice, rather than an act, of the specified misconduct. The bill would also define the term practice for these purposes.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 17200 of the Business and Professions
2 Code is amended to read:
3 17200. As used in this chapter, unfair competition shall mean
4 and include any unlawful, unfair, or fraudulent business ~~act or~~
5 practice and *any* unfair, deceptive, untrue, or misleading
6 advertising ~~and any act~~ *practice* prohibited by Chapter 1
7 (commencing with Section 17500) of Part 3 of Division 7 of the
8 Business and Professions Code.

1 SEC. 2. Section 17201.5 of the Business and Professions
2 Code is amended to read:

3 17201.5. As used in this chapter:

4 (a) “Board within the Department of Consumer Affairs”
5 includes any commission, bureau, division, or other similarly
6 constituted agency within the Department of Consumer Affairs.

7 (b) “Local consumer affairs agency” means and includes any
8 city or county body ~~which~~ *that* primarily provides consumer
9 protection services.

10 (c) “Practice” means *a pattern of conduct that is prohibited by*
11 *this chapter and does not include an episodic incident.*

